

C A M P A I G N F O R ACCOUNTABILITY

August 7, 2018

By Email: mhighla@dhs.state.ia.us

Matt Highland
Iowa Department of Human Services
Hoover State Office Building
1305 East Walnut Street
Des Moines, Iowa 50319

Re: Open Records Request

To Mr. Highland:

Campaign for Accountability (“CfA”) makes this request for records, regardless of format, medium, or physical characteristics, and including electronic records and information, audiotapes, videotapes, and photographs, pursuant to the Iowa Examination of Public Records Law, Iowa Code § 22-1 et seq.

Specifically, CfA seeks the following:

1. Copies of all records and communications regarding UnityPoint Health’s (UnityPoint) application(s) to participate in the Iowa Family Planning Program;¹
2. Copies of all communications, meeting notices, or meeting agendas, sent to or received by any employee or representative of the Department of Human Services regarding the provision in an appropriations bill that allows each distinct location of a nonprofit health care delivery system to enroll in the Iowa Family Planning Program.²

By way of background, the Iowa Family Planning Program (FPP) was created by the Iowa State Legislature to replace the Iowa Family Planning Network, which allowed providers that provide abortions to participate.³ UnityPoint was blocked initially from participating in the FPP due to some facilities performing “abortions in cases where a fetus is not expected to be viable.”⁴ UnityPoint became eligible to apply for entry to the FPP after Governor Reynolds signed the

¹ Barbara Rodriguez, UnityPoint Could Participate in Family Planning Program Under Budget Bill, *Associated Press*, May 11, 2018, available at <https://www.desmoinesregister.com/story/news/health/2018/05/11/unitypoint-health-family-planning-program/601658002/>.

² *An Act Relating to Appropriations for Health and Human Services and Veterans and Including Other Related Provisions and Appropriations, Providing Penalties, And Including Effective Date and Retroactive and Other Applicability Date Provisions*, S.F. 2418, 87th Assembly, May 5, 2018.

³ Barbara Rodriguez, Data show drop in Iowa family planning program enrollment after Planned Parenthood’s exclusion, *Associated Press*, Jan. 31, 2018, available at <https://www.desmoinesregister.com/story/news/health/2018/01/31/data-show-drop-iowa-family-planning-program-enrollment-after-planned-parenthoods-exclusion/1083384001/>.

⁴ Rodriguez, *Associated Press*, May 11, 2018.

Department of Health and Human Services appropriations bill designating that “each distinct location of a nonprofit health care delivery system shall enroll in the program as a separate provider, be assigned a distinct provider identification number, and complete an attestation that abortions are not performed at the distinct location.”⁵

Where possible, please produce records electronically. CfA seeks records of any kind, including electronic records, audiotapes, videotapes, and photographs. This request includes any letters, emails, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. This request also includes any attachments to these records.

If it is your position that any portion of the requested records is exempt from disclosure pursuant to Iowa Code § 22.7, please state the basis of the exemption. Please explain in writing and with particularity the reasons for any determination that a record is exempt from disclosure.

In the event that a portion of a requested record is properly exempt from disclosure, please redact that portion and produce the remainder of the requested record. If you deny this request in whole or in part, please specify each exemption on which you are relying to withhold information.

CfA is a non-profit organization and seeks the requested information to inform and educate the public about the state’s oversight responsibilities regarding public funding for private organizations. Accordingly, because CfA seeks the information to benefit the general public, we request that the information be provided without charge. Iowa Code § 22.3. If a fee waiver is not available, please inform me if the cost will exceed \$200.

Please promptly produce the requested records. If, however, production cannot occur within 10 business days, please inform me when the records will be available. Iowa Code § 22.8(4)(d). If you are unable to meet this statutorily required time period or foresee any problems in releasing the requested records in whole or in part, please contact me at 202-780-5750.

⁵*Appropriations for Health and Human Services and Veterans*, S.F. 2418, 87th Assembly, May 5, 2018.

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Finally, I welcome the opportunity to discuss with you whether and to what extent this request can be narrowed or modified to better enable the Department of Human Services to process it. If possible, please email the records to me at dstevens@campaignforaccountability.org. If the records are mailed, please send them to: Campaign for Accountability, 611 Pennsylvania Ave S.E., #337, Washington, D.C. 20003.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan E Stevens", with a long horizontal flourish extending to the right.

Daniel Stevens
Campaign for Accountability